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You observed in your letter that you never saw Mr. Slosson. He was a small man, not much, if any, under medium height, but of slender frame and countenance. Though not dark complexioned his countenance was rather dusky, his skin not clear, his features though far from handsome bespoke intelligence and were therefore not disagreeable. His general appearance was more like that of the late Leman Church than any other member of the Bar I can think of, though he was somewhat larger and more erect.

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#### S A M U E L W. S O U T H M A Y D.

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## SKETCHES

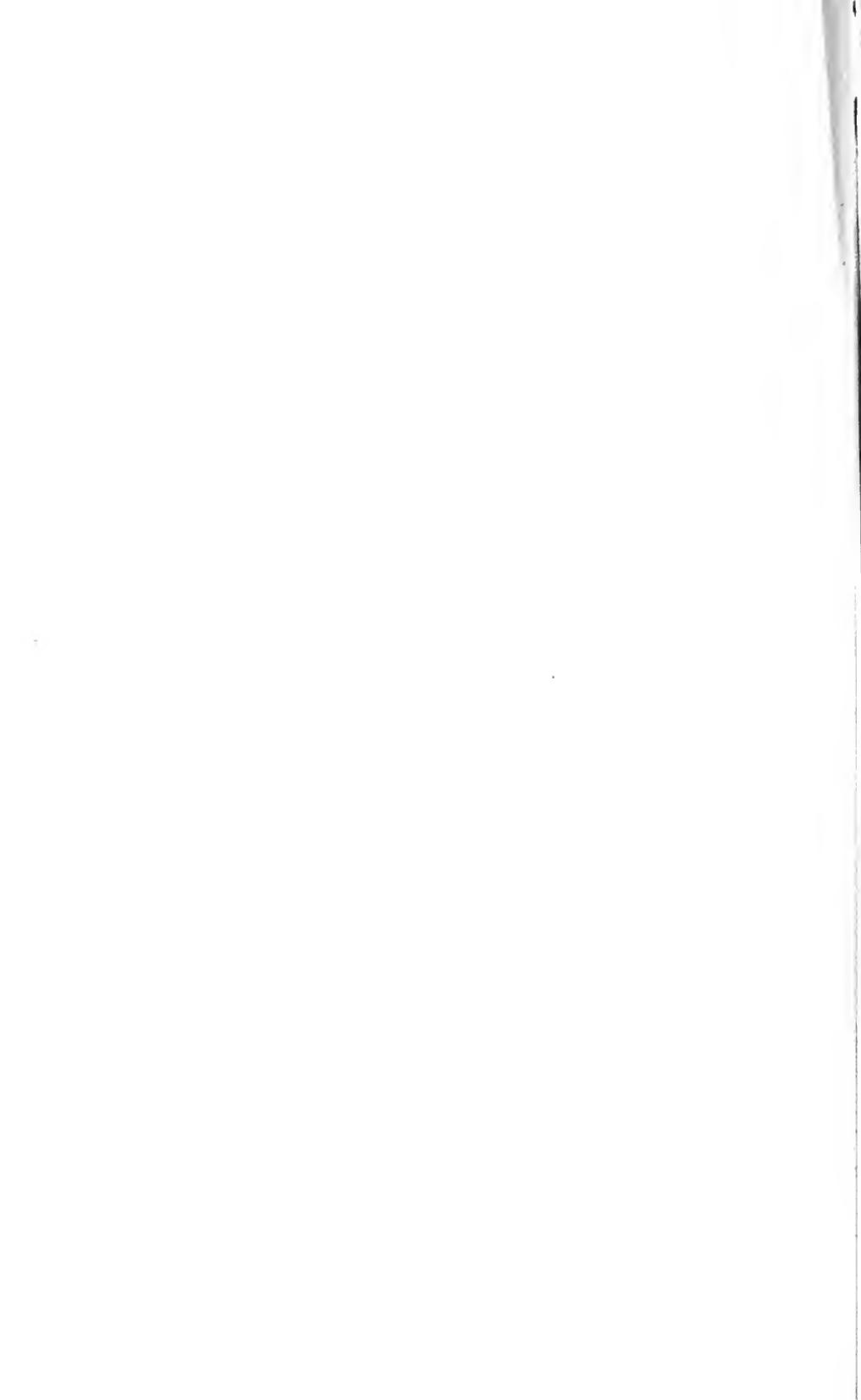
OF THE

EARLY LIGHTS OF THE

LITCHFIELD BAR.

— — —  
BY HON. DAVID S. BOARDMAN.

— — —  
LITCHFIELD, CONN.:  
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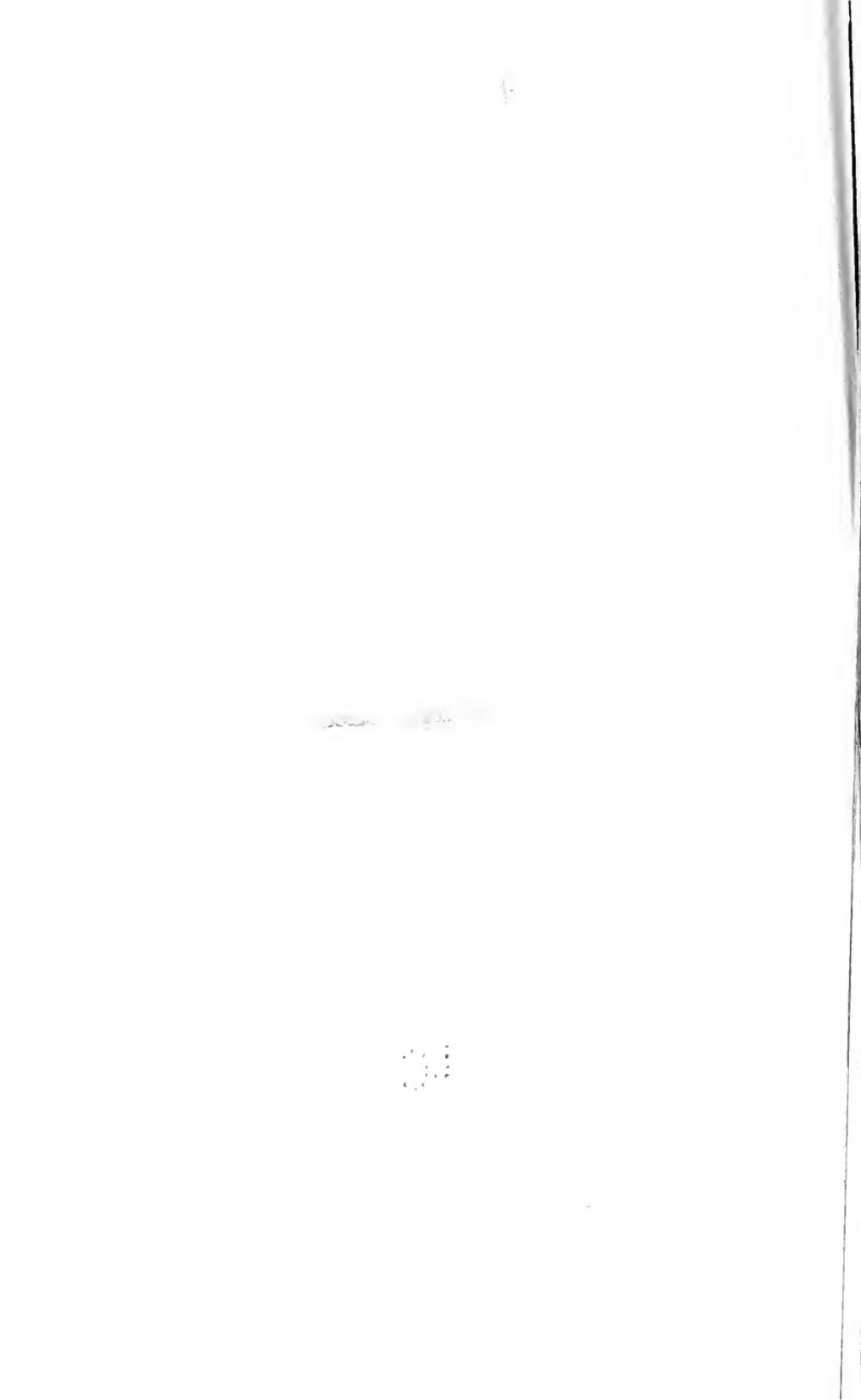
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1860.



New Milford Conn  
June 12<sup>th</sup> 1882

Rev. H. H. Bass

Dear Sir

Your note

& welcome to you Dr. Boardman  
came to me as follows: -  
visiting a copy of his "Sketches of  
the Early Settlers of the Litchfield Part  
a copy of which I can present  
with best

The publisher of Litchfield Agency,  
does not mention that Father was  
in his 31<sup>st</sup> year when he wrote  
the Sketches for this, it will be  
Father lived until he was within  
6 days of 96 yrs & his widow was  
probably preserved until the last  
& died Dec 2<sup>nd</sup> 1964

Very Respectfully

Alfred T. Boardman

$\sigma^2 \epsilon_k = \sigma^2 \epsilon_k^2 = \sigma^2 \Delta_k^2 = \sigma^2$

## PUBLISHER'S NOTE.

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The following sketches were written partly at the request of Hon. Chas. F. Sedgwick of Sharon, and partly for the *Litchfield Enquirer*.

The first seven were not written with any idea of publicity, until their appearance in the *Enquirer*, and they are all now re-published in this form, in compliance with an often expresssed request by many members of the Litchfield Bar that they might be had in some compact and convenient volume for future preservation and reference.

That they present to all interested in the early history of Litchfield County, able and impartial biographies of many of the most prominent men who have figured at her Bar, and that they will be received as a most valuable contribution in this respect, coming from a gentleman who was acquainted personally with those of whom he writes,—and so long and highly esteemed himself as an able, candid, upright lawyer and judge,—the Publisher is well assured. And in the name of every reader of this series of papers he cannot but thus publicly express his congratulation and hearty acknowledgements to Judge Boardman for this collection of sketches, in every respect worthy of himself, and of the place they will fill hereafter in the confidence and esteem of the public.

LITCHFIELD, September 1st, 1860.



## SKETCHES.

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### P A T R I D G E   T H A T C H E R .

PATRIDGE THATCHER was the first man who practised the legal profession in New Milford. He was not educated to the profession, but took up the *trade*, because there were none of the craft hereabout, when this county was organized, which was after he came to middle age. He was a native, I have been told, of Lebanon in this state, and came to New Milford, I know not how long ago. He was, however, a married man at the time. He had no children; but a large number of negroes, whom he treated with kindness enough to put to shame the reproaches of all the abolitionists in New England. He was a man of strong mind, of rigid morality, and religious to the letter according to the strictest sect of orthodox episcopacy. He adored Charles I. as a martyr and he hated Oliver Cromwell worse than he did the evil one. Loyalty, unconditional loyalty, was the prime element of his political creed. Of course, his name was not found in any list of the wicked Whigs of the Revolution, and had he lived in these days, he would most thoroughly have eschewed democracy and abolitionism. On the breaking out of the Revolutionary war, his loyalty necessarily silenced his voice in court, and he died soon after its conclusion. Lawyer Thatcher, as he was always called, was undoubtedly, a very odd, a very honest and a very good man. I wish there were many such men now, both on account of the good example they would set, and the harmless amusement they would afford.

## DANIEL EVERITT.

DANIEL EVERITT was a native of Bethlehem and settled in New Milford as a lawyer, some time during the early part of the Revolutionary war, probably as early as '76 or '77, possibly earlier, as from a record I have access to I see he was married to a daughter of the Rev. Nathaniel Taylor on the first of January, 1778. and I remember that he lived here some time before that event. He had not a collegiate education, but was a man of good education and received an honorary degree. He read law with Judge Adams of Litchfield, and I remember to have heard him say, that he occasionally officiated in Mr. Adams' place as state's attorney, when he, (Adams) was absent in Congress, which he often was, during the war of the Revolution. Mr. Everitt was a man of much wit, boundless extravagance of expression, quick conception, and in command of language and fluency of utterance, unsurpassed, but not a man of much depth of mind nor had he much legal learning: his library extending little beyond Blackstone and Jacobs' Law Dictionary. He had, I believe, a very good run of practice, when the Court *really* opened to do civil business, after the conclusion of the war. His success in this respect was, however, of rather short duration: a number of younger lawyers having about that time commenced practice here, and other circumstances conspired to carry business away from him, and he never recovered it. While studying law I heard him argue a case or two, keeping the Court house in a roar by his wit and sarcasm, but by the time I was admitted, viz. in '95, he had about given up attending Courts at Litchfield, though he was not fifty years of age—and indeed he was, I think, but fifty-seven when he died in 1805. I met him, however, a few times, before Arbitrators and Justices, and had enough to do to parry his home thrusts of good natured wit. Before him I often went, as he tried almost all the Justice cases, which he always did with entire integrity and usually came to a correct conclusion. He represented this town, I think three times in the general assembly, and as a member of the convention which ratified the Constitution of the United States. He was a man of strict honesty, entire moral rectitude of conduct, and a professor of religion. He was, however, much given to sociality, and to that conviviality which some time borders on a kindred indulgence. Mr. Everitt succeeded the late Col. Samuel

Canfield as Judge of Probate in this district in 1790, and held that office till his death at the time above mentioned.

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### TAPPING REEVE.

I saw much of Judge Reeve's practice at the bar for nearly five years, during which time he was engaged in almost every case of importance tried in the Superior Court at Litchfield, and never failed to argue every one in which he was engaged, if argued at all. In the County Court, after I became acquainted with him, he did not practice. His school had become numerous, and he gave up his practice in that Court because (I suppose,) it too much interrupted his course of daily lectures, and knowing as he did that he should have a part in every cause expected to be tried in the Superior Court. And, by the way, trials were then managed and got through with in a reasonable time, and not suffered to be dragged out to the abominable and shameful length which they now are, to the disgrace of the Profession for indulging in it, and of the Courts for permitting it.

I joined Judge Reeve's school in the fall of 1793, and he was not placed on the bench till the spring of 1796, so that I saw him at the Bar during nine sessions of the Superior Court, and never failed to listen to him, if I could avoid it, with unqualified love and admiration through every speech he made, to its conclusion. I say *with love*, for no instructor was ever more generally beloved by his pupils, and indeed entirely so except it was by those whose love would have been a reproach to the object of it. As a reasoner, he had no superior within the compass of my observation of forensic performances. I mean true, forcible and honest reasoning. In sophistry, he was too honest to indulge, and too discerning to suffer it to escape detection in the argument of an adversary.

As a speaker he was usually exceedingly ardent, and the ardor he displayed appeared to be prompted by a conviction of the justice of the cause he was advoaating. His ideas seemed often, and indeed, usually, to flow in upon him faster than he could give utterance to them, and sometimes seemed to force him to leave a sentence unfinis-

ed, to begin another,—and in his huddle of ideas, if I may so express it, he was careless of grammatical accuracy, and though a thorough scholar, often made bad grammar in public speaking. Careless as he was of his diction and thoughtless as he was of ornament in ordinary cases, yet some elegant expressions and fine sentences would seem, as if by accident, to escape him in almost every speech. But in such cases as afforded the proper field for the display of eloquence, such as actions of slander, malicious prosecutions, etc., and in that part of such cases as usually prompt to exertions of the kind, his hurried enunciation and grammatical inaccuracies, all forsook him, and then he never failed to electrify and astonish his audience. Many of these used to be recited to me by those who had often heard him and it fell to my lot to witness one such occasion. In an action for malicious prosecution, in closing the argument, on entering upon the subject of damages, he burst forth into such a strain of dignified and soul-thrilling eloquence, as neither before nor since, has ever met my ear. The first sentence he uttered thrilled through every nerve of my entire frame to the very ends of my fingers, and every succeeding sentence seemed to increase in overwhelming effect. I was perfectly entranced during its delivery, and for an hour afterwards I trembled so that I could not speak plain. His manner was as much changed as his language, and to me he looked a foot taller than before. The next day I went to him and asked him to commit to writing the concluding part of his speech, to which request he said in the simplicity of his nature, "Why, if I should do that, perhaps I should make it better than it really was, and that would not be fair." We told him (Mr. Bacon was with me,) there was no danger of that, for we knew it could not be bettered. Well, he said he would try, but he did not know whether he could recall it to memory, for there was not a word of it written before hand. A day or two after he saw me in Court, behind his seat, and beckoned me to him and said he had tried to comply with my request, but it was so gone from him that he could make nothing of it.

I believe I have said enough in regard to Judge Reeve as an advocate, and that is the extent of your enquiry. As a Judge, you are acquainted with his reputation, historically, though you probably never saw him on the bench, as he left it nearly thirty-nine years ago,

to wit, in May, 1816, to the regret of all admirers of legal learning and lovers of impartial justice.

As I loved and admired Judge Reeve while living, and mourned him when dead, I love to think and talk of him now that I have attained to a greater age than he did, though he reached some eighty-four years, and I feel tempted to obtrude upon you some such leading incidents of his life as I am in memory possessed of, and which cannot be much longer retained.

Judge Reeve was the son of a Presbyterian clergyman and was born on the south side of Long Island. He was educated at Princeton College, where he graduated in 1763 at seventeen years of age as I have heard him say. He was immediately appointed tutor of the grammar school connected with the college, and in that station and as a tutor in the college itself, he remained seven years. He then came to Connecticut to study law, which he prosecuted in the office of Judge Root, then a practicing lawyer in Hartford, and as soon as he was admitted to the bar he settled in the practice at Litchfield. This I suppose to have been in 1772. He had previously married Sally Burr, the eldest child and only daughter of President Burr of Princeton College, and the sister of the celebrated Aaron Burr, who was a pupil of Judge Reeve in the grammar school. The Revolutionary war having commenced within a short time after he came to the bar, there was but little civil business done in the Courts until its conclusion, or nearly so. He therefore early betook himself to giving instruction to young gentlemen who looked forward to the legal profession for support and advancement in life, when the circumstances of the country would allow of its exercise. This employment tended greatly to systematize and improve what stock of legal science he already had acquired, and aided by his uncommonly fine talents and native eloquence early secured to him, the deserved reputation of an able lawyer. About the close, I believe, of the Revolutionary war, either through an acquaintance with the late Judge Sedgwick or otherwise he was introduced to some practice in Berkshire County, and in the celebrated *crim. con.* case of *Winchell vs. Goodrich*, gave such a display of his oratorical powers as astonished the natives, and that, together with the conspicuous part he took with Judge Sedgwick in the great case of General Ashley's negroes, which put an end forever to slavery in Massachusetts, he established a rep-

utation which ensured him business there as long as his avocations at home allowed him to attend to it. This however, I believe, was not very long. The delicate health of his wife, and his great professional business at home induced him to forego any business which called him abroad, and to utterly decline any sort of public appointment whatever, during her life. She died, to the deep grief of as devoted a husband as ever lived, a few months before it became necessary to fill two vacancies in the Superior Court, occasioned by the death of Chief Justice Adams and the final extinction of mental capacity in Judge Huntington—and to one of those vacancies Judge Reeve was appointed.

I must draw this long letter to a close. It is enough to say, that no act of Judge Reeve's life ever, in the least degree, lessened the admiration and respect entertained for his capacity, integrity and learning, or ever diminished the esteem and affection cherished for the spotless purity of his moral deportment through a long life, nor the reverence extorted from all for the deep religious impression which adorned his old age and perfected his character. He was, I presume, in youth extremely handsome.

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#### JOHN ALLEN.

JOHN ALLEN was born in Great Barrington, Mass., sometime, I believe, in 1762, of respectable parents, though not distinguished in society, as I remember to have heard him say that he was the son of a joiner. There were but two children in the family, a son and a daughter, both much distinguished in life for many good qualities, and especially for dignity of manner and deportment, but the *winning* and *amiable* accomplishments all fell to the lot of the female, gaining her many admirers and among others, an husband worthy of her, in that excellent man, Elizur Goodrich of New Haven. Their father died during the minority of both the children. Mr. Allen, having an excellent common school education, though not a classic education, became a teacher, and being impelled by a spirit of adventure, somewhat romantic as he was thought in those days, went suddenly, and

without the knowledge of his friends, and while yet a minor, to Germantown near Philadelphia, where he obtained a place as instructor of the younger classes of an academic establishment of some note at the time. How long he remained in the above mentioned establishment I do not know, but soon after leaving that place, and I believe almost immediately, he came to New Milford, and taught a school for some six months, and from here went immediately into Mr. Reeve's law school, and after the accustomed period of study was admitted to the bar, and immediately settled in practice in Litchfield, where he spent his life. He confined himself almost entirely to the practice of Litchfield County, though occasionally when called, in consequence of the eminence to which he soon attained in the profession, he practiced in other counties, in some cases of importance, and especially in the Federal Circuit Court, in which, for a few years after the formation of the present Constitution of the United States, some considerable business was done. Mr. Allen, however never went abroad in quest of business, thinking that the very great share of Attorney business which he acquired in being always found in his office, equal, at least in point of profit, to what counsellor business he might obtain by attending Courts in other counties, considering that all the counsellor business flowing from the attorney business which he did, he was sure to be engaged in. From the time I entered the law school in the fall of 1793, I occupied a room in his office, and had free access to his ample library and boarded at the same house with him. During all that time, and all the remaining years of his prosperous practice, which indeed lasted till the apparent commencement of his rapid decline, soon followed by death, he was engaged in almost every case of any importance in the Superior and County Court. He was certainly, a very successful and powerful advocate, equally with the Jury as with the Court, a thoroughly read lawyer, equal in point of legal science to any one at our bar during the fore part of the time I am speaking of, except Tapping Reeve, who had no rival, and in the latter part of the period, James Gould, of whom I need say nothing as you knew him in his meridian light. Mr. Allen always made diligent and faithful preparation of all cases committed to his care, and made himself fully acquainted with every point of law and every accessible point of evidence which could arise in the case, and was therefore usually successful when the case deserved success.

If I knew that you ever saw Mr. Allen, I would omit any attempt to describe his personal appearance, for I am sure any one who ever saw his colossal form and imposing visage, would never need to have him described in order to recall his appearance. He was six feet four or five inches high, very erect and with an attitude and walk well calculated to set off his full stature, and though quite lean, weighed full 230 pounds. His countenance was strongly marked and truly formidable, his eyes and eye brows dark, his hair dark, what little he had for he was quite bald, far back, even before middle age, and indeed his whole appearance was calculated to inspire dread, rather than affection. His manners and conversation were, however, such as to inspire confidence and respect, though little calculated to invite familiarity, except with his intimates, of whom he had a few, and those, knowing the generous and hearty freindship of which he was capable, were usually, much attached to him and ready to overlook all his harsh sallies, imputing them to the "rough humor which his mother gave him." His feelings were not refined, but ardent, generous and hearty. His friendships were strong and his aversions equally so—and as I used to say of him, speaking to others, "his feelings were all of the great sort." He neither enjoyed nor suffered any thing from many of those little incidents which so often affect, either pleasingly or painfully, minds of a more refined texture. As he had no taste for such things, nor, as it would seem, any faculty of pérceiving, so he knew no language appropriate to their description, but in respect to those things and principles which he thought worthy of his regard, he lacked no power of language to make himself fully and forcibly understood. For neutral ground, either in morals or polities, he had no taste, and but little less than absolute abhorrence. As a specimen of his feelings and language, better than I can describe, I will give you the laconic answer to an enquiry of him, why he took the *Aurora* the leading democratic paper in the county, then under the guidance of that arch democrat, Duane ; he replied it was because *he wanted to know what they were about in the infernal regions.* And after giving this specimen I need make no further attempt to give you an idea of his humor, manners and language.

After Mr. Allen was married, which was not till he was towards forty years old, and went to house keeping, I boarded at his house at his express solicitation for many years while attending Court ; though

he took no other one, nor ever named to me any price, nor would he count the money I handed to him when leaving for home, seeming to receive it only because I refused to stay on any other terms. I therefore saw much of him in his family, where his conduct was always dignified, proper and kind. He was proud, very proud, and justly so, of his wife, who was a woman of much personal beauty, polished manners, and great and even singular discretion, and for whom he entertained, I believe, an ardent affection.

Before his marriage and at the age of thirty-five Mr. Allen was elected a member of the fifth Congress, where he distinguished himself at a time when Connecticut was never more ably represented in the House of Representatives, and would undoubtedly have been chosen for as long a period as he would have desired to be a member of that body, but he declined a further election. He was elected an Assistant in 1800, and was re-elected for the five succeeding years, and as such was one of the Judges of the Supreme Court of Errors. For several years, previous to his election to Congress, he had represented the town of Litchfield in the General Assembly. His wife was a grand daughter of the first Governor Griswold. His only son, the Hon. John Wm. Allen of Cleveland, Ohio, has been a member of Congress from that State and is now a very distinguished man there: His only surviving daughter resides also in Cleaveland, and is the wife of her brother's immediate successor in Congress: Mrs. Allen, after a rather brief widowhood, accepted the hand of a Mr. Perkins of Oxford in the State of New York, a man of respectability and wealth:

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### BARZILLAI SLOSSON.

THE request, which is the subject of yours of the 4th inst., is too alluring in its nature to be long unattended to. So nearly am I alone in the world that an invitation to hold converse about those of my age and standing in life, and who have now slumbered in the grave for more than forty years, and especially those who were so much beloved and esteemed as were those of whom you solicit my attention, is quite irresistible.

In speaking of Mr. Slosson, I must first observe that I had formed a tolerably correct notion of him before I ever saw him. When I was a boy his father was often at my father's house, intimately acquainted there, and I believe, scarcely ever passed that way without calling and holding a pretty long chat, for he was never in a hurry, and his peculiar turn of mind, abundance of common sense, and great fund of wit, joined to his singularly slow, emphatic and sententious mode of talking, was such as to secure the attention of any one, and especially a boy. He used, occasionally to speak of his children, and especially of his oldest son Barzillai, of whom he was manifestly very proud, representing him to be always at the head of the school when small, and afterwards used to speak with high gratification of his industry and tact at acquiring the higher branches of knowledge without the aid of an instructor, and more particularly the knowledge of the dead languages, of which he knew nothing himself. And this account given by the old gentleman, from intimate intercourse and frequent conversation with his son, when I afterwards became acquainted with him, I found was by no means exaggerated. And to his excellent and accurate common school education, he owed much, very much of his character for exact accuracy and correctness in all that he said and did through life. He was about the best reader I ever heard, wrote a fair, handsome and legible hand, and in the unfailing correctness of his orthography and use of terms, no lexicographer excelled him, and in everything pertaining to mere English, home and common school education, no one appeared to be a more thorough proficidt. And in Greek and Latin I never saw his superior, except old President Stiles, nor with that exception perhaps, his equal, unless it was old Parson Farrand of Canaan, and in the other branches of collegiate education he was, to say the least, above mediocrity. As he entered college not until the senior year, and, I believe, did not even attend during the whole of that year, he could not, of course, expect to shine and did not shine in the college honors depending upon the faculty, but he availed himself of the right to become a candidate for the honors of *Dean Scholar*, and obtained the first premium for excellence in Greek and Latin, in a class of unusually high reputation. This, I suppose, he did merely, out of a laudable pride, for he did not avail himself of the pecuniary reward which would have required him to reside in New Haven ; for he went, immediately after his gradua-

tion with one of his classmates (Mr. afterwards the Rev. Dr. Smith,) to reside in Sharon, as one of the instructors in the Sharon Academy, then in full and successful operation. He soon after became a student at law, under Gov. Smith's instruction, and the first County Court which sat after his two year's clerkship had expired, being in Fairfield County, he went there for examination and admission to the Bar. This was I believe at the November Term, 1793. It was not until he began to attend Court at Litchfield, and while I was in the law school there, that I first became personally acquainted with Mr. Slosson though I had barely seen him once or twice before. After my admission to the Bar, being located in adjoining towns, we often met each other before Justices, and consequently before the upper courts. From our frequent meetings and intercourse at Litchfield and elsewhere, I became greatly attached to him, and finally, for a number of years he and I, with Southmayd for our constant companion, always occupied the same room at Catlin's Hotel during every court until his death, and there was the last time I ever saw him in life. Soon after the Court adjourned, hearing of his rapid decline, I sat out to visit him, and on the way, heard that he had died the night before. I however went on and stayed with the family until I assisted in burying him. This was in January, 1813, and in that grave I felt that I had buried a sincere, and I am sure, a much loved friend; on whose character and conduct in life I could reflect with melancholy satisfaction, unmarred by a single reproachful recollection or one which I could wish to have forgotten.

Mr. Slosson had been out of health for a very considerable time, and fears were apprehended on his account, in which he fully and rationally participated. So gradual, however, was the operation of his disorder, that he continued his attention to business until some three or four weeks before his death. He attended court at Litchfield, the first and I think the second week of the December Term, the month before his decease.

Mr. Slosson's great fondness for ancient literature, rendered him scarcely just in his comparative estimate of that with modern improvements. As a lawyer he was highly respectable in theory and remarkably accurate in practice; as a pleader, I do not remember that he ever had occasion to ask for an amendment, or to alter a tittle of what he had written. As an advocate he was clear, deliberate,

methodical and logical in his deductions. He spoke in much of the peculiarly emphatic manner of his father, above mentioned, though not with his unusual slowness. He was always cool and self-possessed rarely warming into any high degree of animation, or aiming at effect to appear eloquent, but he never failed to secure a respectful and satisfied attention. Though not one of the most leading advocates of which there are always some three or four at any Bar, he might, at least be estimated an equal to any of the second class of the Litchfield Bar which was then, certainly, a highly respectable one.

Though not an aspirant after public preferment, and from his habitually modest and retiring habits, not calculated to push his way when opportunities offered, he was yet, at the time of his decease, in a fair way of promotion. He was early and often elected to the legislature from his native town, and indeed their usual representative until the October session, 1812, when he was elected Clerk, which in those days was a sure stepping stone to future advancement, and having myself been a witness of the manner in which he performed the duties of that office, for which no man was better qualified, I am sure he established a reputation, which, had Providence permitted, promised a solid and lasting existence.

Mr. Slosson's political opinions were of the genuine Washingtonian, political school. None of your heady, rash, and merely partisan notions found favor with him. He was a constant and honest adherent to the political views then prevalent in this State. He left a widow and two sons—the oldest John William, has been and I believe now is a merchant in Kent. The second son, Nathaniel, a very promising boy, was, I believe soon after his father's death, taken under the care of his uncle, William Slosson, a distinguished lawyer of New York, and was by him educated at Union College and for the Bar, and died soon after his admission.

The foregoing sketch of the leading incidents in Mr. Slosson's life, may be a sufficient indication from which to deduce his true character, but I must indulge myself in adding, that I never knew or heard of a single act of his life, either in youth or mature years, that left even a shade upon his reputation. Cool and deliberate in his temperament, never hurried away by enthusiasm, for enthusiasm never manifested itself in his nature, except in his passion for ancient literature, he was sure to think and act with propriety. He was

nevertheless warm and faithful in his attachments, but not so far as to warp his conscientious regard for integrity. He was perfectly just and generous in his intercourse with the world, honest in his predilections and uncompromising in his love of virtue and detestation of vice. In morality his principles were without a taint and his practice through life in conscientious conformity with them. In religion he was a firm and steadfast believer in the great doctrines of the gospel, though not a public professor. His principles were those of true rational Calvanism, unswayed by vindictive zeal or hysterical weakness.

You observed in your letter that you never saw Mr. Slosson. He was a small man, not much, if any, under medium height, but of slender frame and countenance. Though not dark complexioned his countenance was rather dusky, his skin not clear, his features though far from handsome bespoke intelligence and were therefore not disagreeable. His general appearance was more like that of the late Leman Church than any other member of the Bar I can think of, though he was somewhat larger and more erect.

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IN the life, conduct and character of Samuel W. Southmayd there were some peculiarities, such as render it a matter of difficulty to describe him in such a manner, as to make them intelligible to one who did not personally know him.

I never saw, or heard of him until I became a member of the law school in the fall of the year 1793, of which he had then been a member about one year, I believe, and of which he continued a constant attendant during the eighteen months which I spent there. He was admitted to the Bar the next term after I was, to wit: September Term, 1795, and passed as good an examination as I ever heard there, or elsewhere, he having been for the full period of three years under Judge Reeve's tuition. He was a native of Watertown, where he settled in practice, and where he spent his life. Like Mr. Slosson, he had an excellent common school education. Beyond that, his acquirements did not extend far in an academic course—enough, however, I

believe, to enable him to understand the homely law-latin used in our books. Few have entered upon the practice of law, with a better store of legal learning than Mr. Southmayd, but the place in which he settled was not calculated from its location and the habits of the people, by no means litigious, to furnish much practice, and he was too honest to promote litigation ; and furthermore, he had no legal adversary there except an old gentlemen who never had any more legal learning than was necessary for a Church Warden, and whose ignorance made him the victim of Southmayd's merry witchery and innocent cunning, of both of which he had a superabundance, though he never indulged in malicious, or even very serious mischief, and indeed in none except such as would do to relate for the purpose of making fun in merry company. Anecdotes of that description used to be related in great numbers. As a pleader, Mr. Southmayd was always sure to have all in his drafts which was requisite and pertinent to the object in view, and in all his declarations, affording room for coloring circumstances to be inserted, there was pretty sure to be found, slyly slipped in, some ingenious slang whang, or Southmaydism, as we used to call it. He was not ambitious of arguing cases in Court, but when he did, he always displayed much ingenuity, and attracted respectful attention from the audience as well as from the triers. And before arbitrators, referees and committees a more formidable opponent could hardly be found. And although his practice was not large, and as was observed of Mr. Slosson he was not among the leading practitioners at the Litchfield Bar, he was certainly a very respectable lawyer, upon a par with the foremost of the second class, and much beloved and respected by all whose good opinions are desirable.

As was observed in the outset, there were peculiarities in Mr. Southmayd's private character and deportment, which it is difficult to describe or reconcile. Though of a benevolent disposition and full of good nature and kind feelings, there was yet in him a vein of adventure after intellectual amusement, which, from its very nature, could not be gratified but at the expense of others, and often to such an extent as to render them ridiculous in the view of third persons to whom the result of the adventure was related. I have many times joined most heartily in the laugh at the relation of the result of many such seemingly innocent pieces of roguery, though I could not help con-

denning the mischief, while participating in its fruits. In all such indulgences, Southmayd never entertained the least malice, for his heart was a stranger to it, but his intense love of fun, and enjoyment of the ridiculous often impelled him to go beyond the line of honest propriety. I used often to reproach him with it, but my admonitions were not well calculated to take effect, when given at the close of a hearty laugh.

From what I have been saying of Mr. Southmayd you would, I presume, be ready to conclude that he was one of the most cheerly and happy of men. But the case was directly the reverse, and during a considerable period of his life, and that too, the most valuable part of it, he was a very unhappy man, indeed, and I have no doubt he had recourse to much of the indulgence of that peculiar propensity I have attempted to describe for the purpose of dispelling a mental malady which for a long time oppressed and preyed upon his heart. He was for many years the victim of the strongest species of hypochondria that ever mortal man was. It never showed itself in long fits of settled melancholy or monomania; but in sudden fits and starts. After hours of cheerful conversation, and while in entire health, he would suddenly complain of great distress, and exhibit unmistakable evidence of great terror and apprehensions of immediate dissolution. One very extraordinary instance I will relate. He and I had been alone many hours, conversing and reading together, and he, not in the least complaining, when he at once sprung from his seat, and with a scream as would have alarmed me, had it been any other person, and pressing both hands upon his breast he exclaimed that he was going to die immediately. I stepped to him and gently and calmly said to him, "don't be alarmed, you are not going to die"—(for we never treated him as if we thought his distress imaginary,) and put my hand gently upon him to lead him to the bed, when he raised one hand from his breast and thrusting his finger against the side of his head, declared, with another outcry that something was passing through his head. I persuaded him to lie down, telling him the feeling would pass off in a few minutes, but he continued to groan for some time. I, knowing what would cure him, took up and began to read to him one of Burke's finest essays which lay by me, and turning to a passage of extraordinary eloquence read it; on which he sprung up on end in the bed, and exclaimed "was ever anything finer than that!" I continued on

reading, and in the course of half an hour he was well and cheerful as ever. This was the most extraordinary instance I ever saw in him, but those in a degree like it were frequent. He always went to bed an hour or two before Slosson and I did, he saying that he never was able to get sleep until he had gone through a great deal of such feelings as he never would attempt to describe.

Mr. Southmayd was greatly esteemed in his native town, by, I believe, almost every one, both old and young. He was early in life sent to the legislature, and that often, and was so, I know, the last year of his life. He died of lung fever in March, 1813, about two months after the death of his friend Slosson. At the December Term, 1812, the three who had so long occupied the same room in perfect harmony, were, for the last time there together. At the February Term of the Supreme Court, Southmayd and I occupied it, but felt that we were in solitude, and in the next term it seemed to me, most emphatically, a solitude, and more like a family vault than like an abode for living men, and I believe I have never been into it since.

Mr. Southmayd was undoubtedly an honest and honorable man, of uncommon pleasing manners and much beloved, and I never heard that he had an enemy. Indeed the amenity of his manners and the gentleness of his temper almost forbade it.

The family to which Mr. Southmayd belonged was of the Congregational order, and two of his sisters married Congregational clergymen. He, however, joined himself to the Episcopal church of which he was a member after he settled in life, and of which, I believe he was a communicant, but am not sure. He died unmarried, and I believe in the 39th or 40th year of his age.

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#### JOHN COTTON SMITH.

AT your request, I now inform you, that the Hon. John Cotton Smith, only son of the Rev. Cotton Mather Smith of Sharon, was born there on the 12th day of February, 1765. It is said that for the first six years of his life his instruction and training was almost wholly conducted by his excellent mother, and to her government and precepts he is said to have attributed much of his extraordinary success

in life. His common school education, as exhibited in after life, must have been of the most exactly accurate kind. His classical instruction preparatory to entering college, was commenced at home, and completed under the tuition of the Rev. Mr. Brinsmade of Washington. He entered Yale College in September, 1779, when between fourteen and fifteen years of age, and though young, maintained a high standing in his class, as appeared by the share he had in the exercises of the commencement at his graduation, the appointees being less than one-fourth of the entire class. Immediately after his graduation in September, 1783, he entered as a law student in the office of the Hon. John Canfield in his native town, and there continued until he could be by law admitted to the Bar, which was in the March term, 1786, a month after coming to twenty-one years of age: and Mr. Canfield, his legal preceptor, having died a few months after his admission to the Bar, a large portion of business for a long time habitually flowing for management to Mr. Canfield's office, he having for many years been one of the ablest lawyers of the County, Mr. Smith's commencement in business was thereby attended by fortunate circumstances, and he improved them with becoming industry, and from the very first found himself in a lucrative practice, which continued to increase until called into absorbing public business. He was first elected to the legislature in 1793 and frequently afterwards; indeed, from 1796 to October, 1800 he was constantly a member, and during the two sessions of 1800 was speaker of the house, and while occupying that station in the October session he was informed by the Governor that he was elected a member of Congress to fill a vacancy which had occurred for the then approaching last session of the Sixth Congress, and also for the full term of the Seventh Congress; soon after which information, he resigned the chair in the house, and returned home to prepare for assuming his newly assigned duties. It so happened that the extra session to which he had been chosen was that, which, by law, was to be held at the new City of Washington, whither he repaired and served through that term, and the Seventh Congress; was re-elected to the Eighth and again to the Ninth Congress, at the expiration of the Ninth Congress he declined any further elections to that honorable body. During his congressional career he did not participate much in debate, but his fine talent at presiding was early discovered, and caused him frequently to be called to the chair when

the House was in committee of the whole, and he thus presided during some of the most memorable debates which distinguished those days. He was during all but the first session, a member of the committee of claims while in Congress, and during the Eighth and Ninth Congress at the head of that committee; though in the minority. In May, 1809, Mr. Smith was appointed a Judge of the Superior Court, which he resigned in May 1811 on being elected Lieutenant-Governor; in May, 1813 he was elected Governor, and re-elected to that office until 1818, when, a political revolution having taken place, he retired finally from public life. His administration of the gubernatorial office embraced the greater part of the war of 1812 and 1815, and his duties in all respects were performed with dignity, propriety and grace.

After his retirement to private life much of his time was devoted to religious studies, and his eminent christian and literary accomplishments being extensively known and appreciated he was selected as the first president of the Connecticut Bible Society on its establishment. In 1826 he was chosen president of the American Board of Commissioners for Foreign Missions, and in 1831 president of the American Bible Society. In 1815 he received the degree of LL. D. As old age pressed upon him his hearing became impaired, and he never would suffer himself to hold public stations when he could not perform all their duties with becoming grace, he resigned all his posts of honor, and on the 7th day of December he died in the 81st year of his age.

In an eulogy delivered before the Connecticut Historical Society by the Rev. W. H. Andrews, then of Kent, soon after the decease of Mr. Smith, giving a concise but eloquent historical sketch of his life and character, stating that he was admitted to the Bar in Litchfield County, and observing that at the time there was no bar in the state which presented a more splendid array of legal forensic talents than this, proceeds to state the standing which he at maturity acquired, in the following words quoted, as he says, from the communication of a well informed competent judge, long acquainted with Mr. Smith at the bar:—"He was esteemed, and justly so, an accurate pleader, and a well read and learned lawyer, and though some of those alluded to exceeded him in force and popularity as an advocate, none of them surpassed, and in my judgement, none of them equalled him in grace of manner and elegance of diction and utterance."

Early in life Gov. Smith married Miss Margaret Everson of Amenia, N. Y., a young lady of many accomplishments, who lived to old age. The issue of this marriage was only one child, William M. Smith, Esq., of Sharon, a gentleman much esteemed for his many virtues and eminent piety. A grandson bearing his name is now the Minister resident of the United States to the court of Bolivia, South America.

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### NATHANIEL SMITH.

[*From Hollister's History of Connecticut.*]

"I received a line from my friend, General Sedgwick, stating that it was your desire that he would ask of me, in your behalf, to furnish you with some facts in relation to the late Nathaniel Smith, and my views of his character, which might be of use to you in the preparation of the work you have in hand.

"I am of course aware that this application is owing to the accidental circumstance that I am the oldest, if not the only member of the profession now living, who had much personal acquaintance with that truly able and excellent man, or saw much of him in the exercise of his forensic or judicial talents. Judge Smith was indeed one of nature's nobles, and considering the limited range of his early education, he had few equals and perhaps no superior in the profession which he chose, and which he eminently adorned. You are doubtless aware that Judge Smith had only such an education in childhood and youth, as the common schools of the country afforded at the time. It was such, however, as a boy of unusual capacity and industrious habits would acquire from such a source, and such as, under the guidance of uncommon discretion through life, rarely permitted its defects to be disclosed.

"When I first went to the Law School in Litchfield, which was in the fall of 1793. Mr. Smith though not over thirty years old, was in full practice, and engaged in almost every cause of any importance. Indeed, he was said to have established a high reputation for talents in the first cause he argued in the higher courts. It was upon a trial

for manslaughter, which arose in his native town, and in which he appeared as junior counsel, and astonished the court, the bar, and all who heard him. Not long afterwards, in the celebrated case of Jedediah Strong and wife, before the General Assembly, (she having applied for a divorce,) he greatly distinguished himself again, and thus became known throughout the state as a young lawyer of the first promise ; and the reputation thus early acquired was never suffered to falter, but on the other hand, steadily increased in strength until his elevation to the bench.

“ During my stay in Litchfield, and after my admission to the bar, I of course saw Mr. Smith, and heard him in almost all the important cases there ; and as I was located in the south-west corner town in the county, adjoining Fairfield, I almost immediately obtained some business which, though small, was such as during nearly all my professional life caused me to attend the courts in that county, where I found Mr. Smith as fully engaged and as highly esteemed as in his own county. In New Haven I also know he had a very considerable practice.

“ It is worthy also to be observed, in forming an estimate of Mr. Smith’s professional talent and character, that there never at any period was an abler bar in Connecticut, than during his practice. In Litchfield county, were Judge Reeve, Judge Adams, General Tracy, John Allen, Judge Gould, N. B. Benedict, and others ; at the Fairfield county bar, were Pierpont Edwards, Judge Ingersoll, and Judge Daggett, constantly from New Haven, Judge Edmonds, S. B. Sherwood, R. M. Sherman, Judge Chapman, and Governor Bissell ; and in New Haven, besides the three above named, were James Hillhouse, Judge Baldwin, and others.

“ As I suppose it not probable that you ever saw Judge Smith, as he ceased to attend courts in 1819, and died when you was very young, I will observe, what you have doubtless heard, that he was a large and fine appearing man, much of the same complexion of the Hon. Truman Smith, his nephew, with whom you are so well acquainted ; less tall than he, but of rather fuller habit. His face was not only the index of high capacity and solid judgment, but uncommonly handsome ; his hair was dark and thin, though not to baldness, except on the fore part of his head, and was very slightly sprinkled with gray. His fine, dark eyes, were remarkably pleasing and gentle

in ordinary intercourse, but very variable, always kindling when highly excited in debate, they became almost oppressive. His voice was excellent, being both powerful and harmonious, and never broke under any exertion of its capacity. His manner was very ardent and the seeming dictate of a strong conviction of the justice of his cause ; and his gestures were the natural expression of such a conviction. Mr. Smith's style was pure and genuine Saxon, with no attempt at classic ornament or allusion. His train of reasoning was lucid and direct, and evincive of the fact that the whole of it was like a map spread out in his mind's eye from the beginning. His ingenuity was always felt and dreaded by his opponent. He spoke with much fluency, but with no undue rapidity ; he never hesitated for or *haggled* at a word, nor did he ever tire his audience with undue prolixity, or omit to do full justice to his case for fear of tiring them ; and indeed there was little danger of it. Though certainly a very fine speaker, he never achieved or aspired to those strains of almost superhuman eloquence with which his old master Reeve, sometimes electrified and astonished his audience, and yet, in ordinary cases, he was the most correct speaker of the two—though Judge Reeve was, and he was not, a scholar. Mr. Smith, though quite unassuming, and often receding in common intercourse and conversation, was, when heated in argument, it must be confessed, often overbearing to the adverse party, and, not only them, but to their counsel. Upon all other occasions, he appeared to be, and I believe was, a very kind hearted, agreeable and pleasant man. To me, he always so appeared, and I have been much in his company.

" Mr. Smith came early into public life, and was frequently elected to the General Assembly from Woodbury. In 1795, he was elected a member of the fourth Congress ; and in 1797, he was chosen to the fifth Congress ; but declined further election. In May, 1799, he was made an assistant, and was re-elected for the five following years, when he resigned his seat at that board in consequence of the passage of the act in 1803, prohibiting the members of the then Supreme Court of Errors from practicing before that Court. He remained in full practice at the bar until October, 1806, when he was elected a Judge of the Superior Court, and continued to fill that office until May, 1819, when the judiciary establishment of that year went into operation ; from which time he remained in private life until his death.

" In every public station in which Mr. Smith was placed, he distinguished himself. He did so in Congress, at a time when our representation was as able, perhaps, as it ever has been, and when the character of the house to which he belonged was far higher than it now is. In the Superior Court he was certainly very greatly respected and admired, as an able and perfectly upright judge.

" In private life his name was free from all reproach. A strictly honest and pure life, free from any of those little blemishes which often mar the fame of distinguished men, may, I think, be fairly claimed by his biographer to be his due. As a husband, a parent, a friend, a neighbor, a moralist and a christian, I believe few have left a more faultless name."

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#### JAMES GOULD.

In compliance, in part, with a request recently received from you, I now send you a brief and imperfect sketch of the literary and professional character, standing and reputation of the Hon. James Gould, who for a very considerable period of time contributed much to the fame of the County and State for legal science, by his talents as an advocate and especially as an instructor and as a judge of the Superior Court; with some account of his person and family. Mr. Gould, the son of Dr. William Gould, an eminent physician, was born at Branford in this State in the year 1770. The goodness of his common school education is inferable from the perfect accuracy of it, which showed itself in all he did or said in after life. He graduated when a little over twenty-one, at Yale College, in September, 1791, with distinguished honor in a class distinguished for talents.

The year next following his collegiate course he spent in Baltimore as a teacher. He then returned to New Haven and commenced the study of law with Judge Chauncey; and in September of that year he was chosen a tutor in Yale College, in which office he continued two years. He then joined the Law School of Mr. Reeve at Litchfield and was soon after admitted to the Bar. Immediately after his admission to the Bar he opened an office for practice in that town, where he resided during the remainder of his life.

On his first appearance as an advocate he evinced such an apparent maturity of intellect, such a self-possession, such command of his thoughts and of the language appropriate to their expression, that he was marked out as a successful aspirant for forensic eminence. His progress in the acquisition of professional business was steady and rapid.

Fortunate circumstances concurring a few years before his choice of Litchfield as the field of his professional labors, in the removal by promotion of two very distinguished practitioners at that Bar, opened the way to such a choice, and by like good fortune a similar event removed one of the two only remaining obstructions in that town to his full share in the best business as an advocate, the only business to which he aspired. As a reasoner Mr. Gould was forcible, lucid and logical: as a speaker his voice was very pleasant and his language pure, clear and always appropriate. He never aspired to high strains of impassioned eloquence, and rarely, if ever, addressed himself to the passions of the Court and Jury, but to their understanding only, and was a very able, pleasing and successful advocate. His argument was a fair map of the case, and one sometimes engaged against him, but feeling his superiority, observed, that he had rather have Gould against him in a case, than any other of any where equal powers, because he could perfectly understand his argument, and if susceptible of an answer could know how to apply it. In his practice at the Bar he was always perfectly fair and honorable. Within some two or three years after Mr. Gould commenced practice, Mr. Reeve, the founder and until that time the sole instructor of the Litchfield Law School, accepted a seat upon the bench of the Superior Court. This Court made it necessary for him to give up the School, or to associate some one with him in its management, and to deliver lectures in his absence upon the circuits. The Judge selected Mr. Gould as that associate; and for a number of years they jointly conducted and received the profits of the School: and on the final retiring of Judge Reeve from any participation in the instruction of the School, Mr. Gould became its sole instructor and so continued until elevated to the bench of the Superior Court in the spring of 1816, when he in turn had to have recourse to temporary aid for the short time he remained on the bench. But a thorough political Revolution having taken place in this State, and a new constitution formed which entire-

ly new modeled the courts of law; Mr. Gould took no further share in public employments; and his health being greatly impaired, he never resumed practice at the Bar, but confined himself wholly to his School during the remainder of his life, as far as severe infirmities would permit. He died, as appears by the College catalogue, in 1838.

In person Mr. Gould was very handsome. Of about medium height, or perhaps a little over; but rather less in body and limbs than medium size. His complexion fair, with fine dark eyes and beautiful brown hair; all his features good and in connection indicative of much intelligence and good nature, and his form for symmetry and gracefulness could hardly have been mended; and in all respects, in body, mind and education, he may be fairly styled a finished man. In private and social intercourse he was highly pleasing, facetious and witty.

Soon after his settlement in Litchfield he married the eldest daughter of the Hon. Uriah Traey, so well known for his long and distinguished services in the councils of the state and nation.

Mrs. Gould in person and mind was a fit wife for such a husband, and partook with him in the happiness of raising a very numerous and promising family of children.

Judge Gould wrote and published a volume of Pleadings, which, together with his fame as an instructor, gave him a distinguished name among the eminent jurists of the country.

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#### NOAH BENNET BENEDEICT.

In further compliance with your late request, I now place at your disposal some account of the life, character and standing of another highly esteemed member of the Litchfield County Bar.

The Hon. Noah Bennet Benedict was a native of Woodbury, in which he resided during his whole life. He was the son of the Rev. Noah Benedict, long the pastor of the First Congregational Church in that town. Mr. Benedict's early school education must have been correct and good, as its fruits invariably showed itself in after life. He graduated at Yale College in September, 1788, when a little short

of eighteen years of age. His legal studies commenced soon after his graduation, which were, I believe, pursued principally, if not wholly, in the office of his brother-in-law, Nathaniel Smith, afterwards so highly distinguished as a jurist, which was near the residence of Mr. Benedict's father. As soon as he arrived to lawful age Mr. Benedict came to the Bar, and for the remainder of his life, to wit: about thirty-nine years, it is believed he never failed to attend every regular session of the Courts holden at Litchfield; and though he never habitually attended Courts in other counties, he occasionally did so for the purpose of arguing a particular case. During the long course of his practice Mr. Benedict had an ample share of business, and for the latter half of that period, he was, especially in the Superior Court, the leading advocate, on one side or the other, in most of the trials either to the court or to the jury. His management of a trial was discreet, his arguments sound, sensible, and being aided by the well known and generally esteemed integrity of his character, had their due effect. He never attempted to play the orator or to attract attention by fine turned periods, but contented himself with plain reasoning, of which he was no indifferent master.

At a very early period Mr. Benedict was a member of the legislature. But the political majority of the voters in Woodbury becoming about this time and for long afterwards decidedly democratic, proved an effectual bar to his political promotion, as far as depended upon that town, but by the vote of the State at large he was elected in 1813 one of the twelve assistants, (as they were then styled, who composed the Upper House of the assembly,) and was re-elected the two following years; but in the year 1818 an entire political revolution took place in Connecticut, and Mr. Benedict shared the fate of almost every one who held any post of dignity or profit depending upon public sufferage at large in the State. He was subsequently many years later elected once or more to the Lower House. He was also for several years Judge of Probate for the District of Woodbury, an appointment then depending upon the legislature. Mr. Benedict was twice married, but left no living issue. He died in June or July, 1831, at the age of sixty, or in his sixtieth year.

In private life Mr. Benedict was entirely massnming, and a very pleasing companion to all who could relish purity of moral character and conduct, which his whole life was an eminent example: his feel-

County Bar, and by his faithfulness and zeal in the management of it he retained it for many years to his great satisfaction, for he was very fond of his profession. No man more thoroughly identified himself with the interests of his client, insomuch that he could hardly bring himself to doubt of the justice of his cause, however he might of the legal means of obtaining it : hence his utmost exertions were sure to be put forth for the attainment of it. In untiring industry in the preparation of a cause for trial no man excelled him. He was an able, and when the nature of the case allowed of it, an eloquent advocate. Until some sixty years old he was in full practice, almost never being in any degree diverted from it by political aspirations. But repeated pneumoniac attacks of a threatening nature in the autumn of the year 1832 admonished him of the danger of much public speaking, and induced him to retire from the Bar as soon as it could conveniently be done. While in practice, his untiring diligence in the preparation of his causes for trial, the learning, wit and force of reasoning was so satisfactory to his numerous clients, that it was not remembered that any one who once employed him ever forsook him when in after time he had occasion for legal advice.

After the close of his practice of law, and indeed long before that event, Mr. Bacon paid much attention to pecuniary affairs, and his skill and judgement in the management, led to his appointment as president of the branch of the Phoenix Bank located at Litchfield, which he held for a number of years. But his cautious policy in the management of it proved unsatisfactory to some of the stockholders, but more particularly with the managers at head quarters.

As a man, a mere private individual, Mr. Bacon will be agreed by all who ever knew him to have been a very peculiar man, both in appearance and in manner. He was full six feet two inches high ; well formed for appearance ; neither too fleshy nor too spare ; and his inexhaustible fund of pleasant wit, judiciously used, made him an agreeable companion to both sexes and all ages : and having in himself an uncommon elasticity of spirits he was fitted to enjoy life and to impart to others its enjoyment in an eminent degree. On many accounts, and indeed on most accounts, Mr. Bacon may be said to be a fortunate man, but on others, had it not been for his peculiar buoyancy of spirits, a very unfortunate man.

In March, 1807, he married Miss Lucretia Campion the only

daughter of the Hon. Epaphroditus Champion, of East Haddam, who still survives him ; and never was a man through a long married life of half a century, more happy in the conjugal connection. This marriage was blessed by the birth of three sons of uncommon promise, but all of them were cut down in early manhood : not, however, until each had given decided proof of natural and acquired capacity. Three daughters were also the fruit of that marriage, but all died in early infancy.

Quite a number of years since, Mr. Bacon disposed of his property in Litchfield and removed to New Haven, where he spent the remainder of his long and useful life, and died in the full possession of his mental faculties when but two days short of eighty-six years of age. No one ever questioned his integrity. He was a professor of religion, and is believed to have lived in accordance with his profession. He died in the possession of an ample estate, in a great degree the fruit of his discreet management, and out of which, it is but justice to his memory to state, he made a donation to Yale College of ten thousand dollars.

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#### ELISHA STERLING.

GEN. ELISHA STERLING of Salisbury, who was for a long time a very respectable member of the Litchfield County Bar, was a native of Lyme in this State, where he received his training and early education, until he became a member of Yale College, of the class which graduated in September, 1787 ; and that he sustained a good standing in it is evinced by his having an honorary share in its commencement exercises. Immediately after his graduation he assumed the charge of an academy, then recently established in Sharon ; and during the two years while it was under his management and tuition, it became very thoroughly established and very extensively and popularly known. While at the head of the academy he pursued the study of Law, and was admitted to the Bar in 1789 or 1790, and immediately opened an office for the practice of his profession in Salisbury, where he continued to reside during the remainder of his life. He was very fortunate

in his place of settlement, and soon found himself engaged in lucrative practice, which he pursued with much industry for a long time ; and it is believed that very few lawyers have by the mere practice of their profession in Connecticut acquired a larger property than he did. He was at an early period by the County Court appointed the Attorney for the State in that County, and by them (to whom alone the right of that appointment then pertained.) annually reappointed for many years, and until a political change in a majority of that Court led to a change in the attorneyship. The propriety of his management as a public prosecutor was never questioned even by his political opponents. As a mere advocate he did not stand at the head of such practice, but did a respectable share of it, and stood high in the secondary rank ; and in the entire amount of business, in point of profit, few equaled, and perhaps none surpassed him. In addition to the office of State's Attorney, he for a long time held the office of Judge of Probate for the district of Sharon—an office then depending upon the annual appointment of the legislature, and until, for a like cause above mentioned, he was required to give place to another, of different political principles from his own ; and the latter office he held two or three years after he ceased to be, of the then, healthy political faith. He was very often a representative to the General Assembly from Salisbury when the political standing of the town would allow of such a choice, and was a major-general of the militia. At a somewhat earlier period he married a daughter of the Hon. John Canfield, deceased, of Sharon, who for a long time was a distinguished member of the Bar of Litchfield County in former times ; and by that marriage he became the father of a somewhat numerous family, nearly all of whom were sons. They were all young men of promise, and on entering into business were well endowed by their father, and it is believed were respectable and prosperous in their several vocations. Gen. Sterling somewhat late in life married the widow of the Rev. Dr. John Elliott, who survived him. Through life Gen. Sterling enjoyed a good state of health, and died when over seventy years of age, in the year 1836, of a sudden illness occasioned by a slight wound in the leg, too much neglected. He was above medium size, of a light complexion and good personal appearance, and his moral and religious habits unimpeachable.

## J A B E Z W. H U N T I N G T O N.

In compliance with former requests and of a recent intimation of my own, I now transmit you a brief sketch of the life and character of the Hon. Jabez W. Huntington, son of the late Gen. Zachariah Huntington of Norwich, and grandson of the Hon. Jabez Huntington of that place, the assistant and associate of the first Gov. Trumbull, who was born in Norwich in the year 1787 or 1788. He received his early training and instruction in his native town, which after times evinced to be accurate and good. He became a member of Yale College in September, 1802 and graduated in September, 1806, with the reputation of a good scholar. Soon after his graduation he became a teacher in an academic school under the government of its founder, Esquire Morris of Litchfield South Farms, as then called, now the town of Morris, named after the founder of said school. After about a year thus employed, Mr. Huntington entered Judge Reeve's Law School, in which he continued a diligent student until admitted to the Bar in Litchfield County, of which he soon showed himself to be a worthy member, and in due time a distinguished one; he having commenced the practice of his profession in Litchfield, and there continued it until its final termination by an office conferred upon him incompatible with its further pursuit. In practice, his whole aim and ambition was to become an advocate, and had no desire to obtain any share of collecting business, though in many hands not less lucrative; and as he was always ready to aid the less ambitious of speaking, he early acquired a very considerable share of the portion of practice of which he was ambitious and which was improving to him. His forte as an advocate was in detecting error in declarations and other parts of pleadings, and in a lucid manner of pointing them out. Upon the whole he was as an advocate clear and accurate, rather than peculiar for the gracefulness of manner or refinement of diction, though his manner was by no means disgusting, and his language entirely free from any approach to vulgarity. His manners were pleasing and popular, and he repeatedly represented Litchfield in the General Assembly and distinguished himself there. He was elected to the 21st Congress, and re-elected to the 22d and 23d Congress; and near the expiration of the last of his Congressional career he was chosen a Judge of the Superior Court, and held that office un-

til 1840, when being chosen a senator of the United States he resigned the Judgeship and accepted the latter appointment, and continued to hold it by virtue of a second appointment until his death in 1847. In all which stations he performed the duties thereof with honor to himself and to the entire satisfaction of the public. His moral character was irreproachable; a professor of religion and an observer of its precepts. Late in life he was married, but it is believed left no issue. Soon after election to Congress he removed to his native town and died there.

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### PHINEAS MINER

PHINEAS MINER, a very respectable and somewhat eminent member of the Litchfield County Bar, was a native of Winchester in that county, and there, and in that region, as far as by the writer hereof known, received his entire training and education in all respects. At an early period in life he commenced the practice of law in the place of his birth, in the society of Winsted, as is believed, a place of a great deal of active manufacturing business and furnishing an ample share of employment for gentlemen of the legal profession, of which Mr. Miner soon acquired an ample share, and at no distant period, an engrossing one, with which he appeared in court from term to term until he felt warranted in the expectation of drawing after him an engagement in all the disputable cases from that fruitful quarter, when he removed to Litchfield and was much employed as an advocate for a number of years, and until his health rather prematurely failed, and he became the victim of great mental and bodily suffering, until relieved by death before reaching the ordinary period at which old age begins to make its effects much perceptible in the human frame. As an advocate Mr. Miner was ardent, impassioned and fluent, but in his apparent great ambition to be eloquent he often made use of figures of speech which a more chastened and correct training in youth would have taught him to avoid, and less wounding to an ear of taste, but the fault apparent to all, was the extreme prolixity of his arguments; but these faults notwithstanding, Mr. Miner was a respectable and able advocate.

Before his removal to Litchfield Mr. Miner was an early and frequent member of the legislature from his native town and after his removal there, a member of the state senate for the fifteenth district, and was also elected to fill a vacancy in the second session of the twenty-third Congress.

Mr. Miner was twice married, but it is believed, left no issue, but of this the writer is uncertain. He led a strictly moral life and was justly esteemed a good man:

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#### LEMAN CHURCH.

ONE more attempt to comply with your repeated requests. Leman Church, a late member of the Litchfield County Bar, was a native of Salisbury in this county, a son of an opulent farmer of that town, and in it, it is supposed, he received his education, both scholastic and professional : the latter in the office of his half-brother, Samuel Church, afterwards a Judge of the Superior Court, and finally Chief Justice of the same ; and after his admission to the bar he opened an office in North Canaan, where he resided during the remainder of his life. Mr. Church was successful in acquiring at an early period a promising share of professional business, which steadily increased, until by the middle of professional life he occupied a stand among the leading advocates at the bar ; and towards the close of life there was scarce a cause, especially in the higher Courts, of considerable importance discussed, in which he was not engaged.

In September, 1833, Mr. Church was appointed by the Court, State's Attorney, as successor to his brother Samuel, on the latter's elevation to the bench of the Superior Court, and held that office by annual re-appointments until September term, 1838, when by a political change in the court he was required to yield the place to another ; it is believed, however, that he afterwards for a time, re-occupied that place, but not positively recollects.

As a speaker he was cool, unimpassioned and ingenious ; he never attempted to affect the passions of those he addressed, and being destitute of passion himself, was consequently incapable of moving the





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